

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
MICHIGAN, SOUTHERN DIVISION

Jamshid Khogiani v. Kevin Raycraft, Immigration and Customs
Enforcement, Director of Detroit Field Office, Enforcement and
Removal, Kristi Noem, U.S. Department of Homeland Security,
Pamela Bondi, and Executive Office for Immigration Review

Jamshid Khogiani v. Kevin Raycraft, No. 2:25-cv-13744 (E.D. Mich. Dec. 29, 2025) · No. 2:25-cv-13744 ·
Decided December 29, 2025

SUMMARY

The United States District Court for the Eastern District of Michigan denied the respondents’ motion for reconsideration of an earlier order granting habeas relief to Jamshid Khogiani. The court held that jurisdiction was proper in the Eastern District, that the petitioner was not subject to mandatory detention under 8 U.S.C. § 1225(b)(1), and that he was entitled to a bond hearing under § 1226(a). The court lifted its stay and ordered a bond hearing by January 5, 2026, or the petitioner’s release, along with a compliance status report.

CASE DETAILS

COURT	United States District Court for the Eastern District of Michigan, Southern Division
WRITING FOR THE COURT	Linda V. Parker
JURISDICTION	United States District Court for the Eastern District of Michigan, Southern Division
DECIDED	December 29, 2025
DOCKET	2:25-cv-13744
DISPOSITION	other
PROCEDURAL POSTURE	Petitioner sought habeas relief under 28 U.S.C. § 2241 from immigration detention. After the court denied respondents' motion to dismiss or transfer and granted habeas relief requiring a bond hearing, respondents moved for reconsideration. The court denied reconsideration, lifted its stay, and ordered a bond hearing under 8 U.S.C. § 1226(a).

STANDARD OF REVIEW	Reconsideration under E.D. Mich. Local Rule 7.1(h)(2), which permits reconsideration only for a qualifying court mistake that would change the outcome, an intervening change in controlling law, or newly discovered facts warranting a different outcome.
PRECEDENTIAL VALUE	unpublished district court opinion
PARTIES	Kevin Raycraft, Immigration and Customs Enforcement, Director of Detroit Field Office, Enforcement and Removal, Kristi Noem, U.S. Department of Homeland Security, Pamela Bondi, Executive Office for Immigration Review v. Jamshid Khogiani

TOPICS

immigration detention removal proceedings motion for reconsideration subject matter jurisdiction
administrative procedure act

PRACTICE AREAS

immigration law habeas corpus administrative law civil procedure immigration detention

QUESTIONS PRESENTED

1. Whether reconsideration was warranted because the court ruled on respondents' motion to dismiss or transfer before respondents filed a reply brief.
2. Whether the Eastern District of Michigan had jurisdiction over the § 2241 petition despite petitioner's detention in the Western District of Michigan.
3. Whether petitioner's detention was governed by the mandatory-detention provisions of 8 U.S.C. § 1225(b)(1) after expedited removal proceedings were terminated and the case proceeded under INA § 240.
4. Whether petitioner was entitled to a bond hearing under 8 U.S.C. § 1226(a).
5. Whether the court's deadline for the bond hearing was unreasonable.

HOLDINGS

1. Reconsideration was not warranted because respondents did not show that the court's failure to await a reply brief constituted a qualifying mistake that would change the outcome.
2. Jurisdiction was proper in the Eastern District of Michigan because the immediate custodian with power over petitioner was the ICE Detroit Field Office Director, who was a respondent in the case.
3. Petitioner was not subject to the mandatory-detention provisions of 8 U.S.C. § 1225(b)(1) because expedited removal proceedings had been terminated and his case proceeded in regular removal proceedings under INA § 240; his detention without a bond hearing was unlawful.

4. Petitioner was entitled to a bond hearing under 8 U.S.C. § 1226(a), and respondents were ordered to provide the hearing before an immigration judge or release petitioner.
5. The deadline was not set aside as unreasonable; after the initial deadline was stayed, the court ordered respondents to provide a bond hearing by 5:00 p.m. on January 5, 2026, based on petitioner's prolonged unlawful detention.

KEY QUOTATIONS

“As Roman held, a detained alien’s immediate custodian is the INS District Director for the district where a detention facility is located” as that is the person who “ ‘has power over’ alien habeas corpus petitioners.””
(Analysis, Whether Jurisdiction in this District is Proper)

“Petitioner is not subject to the mandatory detention provisions under § 1225(b)(1). The Court continues to conclude that Petitioner’s detention without a bond hearing is unlawful.” (Analysis, Whether the Court Failed to Address the Proper Statutory Provision)

FACTUAL BACKGROUND

Khogiani, a citizen of Afghanistan, entered the United States in 2021 after allegedly being paroled as part of the evacuation of Afghans whose lives were at risk because of service to the United States government. He applied for asylum before his parole expired, has lived in Michigan with his partner and children, has two additional U.S.-citizen children, and has no criminal convictions. Immigration officials detained him on July 28, 2025; although expedited removal proceedings were initially initiated, those proceedings were terminated and his case was referred for regular removal proceedings under INA § 240 while his asylum application remained pending. He remained detained without a bond hearing.

PROCEDURAL HISTORY

Khogiani, an Afghan citizen who had been paroled into the United States and whose asylum application was pending, was detained on July 28, 2025. He filed a § 2241 habeas petition on November 24, 2025. On December 18, 2025, the court denied respondents' jurisdictional motion and ordered a bond hearing. Respondents moved for reconsideration, arguing that the court acted before their reply, that detention was governed by 8 U.S.C. § 1225(b)(1), and that the hearing deadline was unreasonable. The court denied reconsideration and ordered a new hearing deadline.

DISPOSITION

other

REMAND INSTRUCTIONS

Respondents must provide petitioner a bond hearing under 8 U.S.C. § 1226(a) before an immigration judge by 5:00 p.m. on January 5, 2026, or release him. Respondents must file, within ten days of the Opinion and Order, a status report certifying compliance and detailing the hearing results.

CASES CITED

- Roman v. Ashcroft, 340 F.3d 314, 316, 320 (6th Cir. 2003)
- Trump v. J.G.G., 604 U.S. 670, 672 (2025)
- Smith v. Mt. Pleasant Schs., 298 F. Supp. 2d 636, 637 (E.D. Mich. 2003)
- Sault Ste. Marie Tribe of Chippewa Indians v. Engler, 146 F.3d 357, 374 (6th Cir. 1998)
- United States v. Pouncy, No. 23-cv-20262, 2025 WL 3516856, at *1 (E.D. Mich. Dec. 8, 2025)
- Munoz Materano v. Arteta, No. 25 Civ. 6137, 2025 WL 2630826, at *11 (S.D.N.Y. Sept. 12, 2025)
- Salgado Bustos v. Raycraft, No. 25-cv-13202, 2025 WL 3022294, at *6-7 (E.D. Mich. Oct. 29, 2025)
- Coalition for Humane Immigrant Rights v. Noem, 2025 WL 2192986, at *30 (D.D.C. Aug. 1, 2025)
- E.V. v. Raycraft, No. 4:25-cv-2069, 2025 WL 2938594, at *4 (N.D. Ohio Oct. 16, 2025)

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